

____ JOINT RESOLUTION NO. ____

INTRODUCED BY _____

(Primary Sponsor)

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ENCOURAGING THE LEGISLATIVE AUDIT COMMITTEE TO PRIORITIZE A PERFORMANCE AUDIT OF THE STATE ASSUMPTION OF DISTRICT COURT COSTS.

WHEREAS, Senate Bill No. 176, Chapter 585, Laws of 2001, changed the responsibility for funding District Court costs from the counties to the state effective July 1, 2001, and provided that the District Courts be administratively attached to the Judicial Branch of state government; and

WHEREAS, the transition to state funding was intended to be revenue-neutral in combination with House Bill No. 124, Chapter 574, Laws of 2001, known as "The Big Bill", that revised local government funding; and

WHEREAS, the costs of the state assumption of District Court costs have increased well beyond the estimates; and

WHEREAS, when Senate Bill No. 176 was enacted in 2001, it was difficult to predict how District Courts would react to the change in funding sources; and

WHEREAS, questions have arisen regarding how to control District Courts' fixed and variable costs; and

WHEREAS, expenditures transferred to the state were from three major areas of personal services, purchased services, and supplies and equipment for which there were widely differing estimates of projected expenditures; and

WHEREAS, the state assumption of District Court costs requires the Legislature to focus on the administration of the courts and to obtain management information in order to identify if additional effective internal control systems are needed to manage court operations and expenses and to identify resource and funding needs; and

WHEREAS, there has not been an overall performance audit performed on the assumption of District Court costs by the state to determine the actual causes of increases and subsequent effects on the courts and the state.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF

1 THE STATE OF MONTANA:

2 That the Legislative Audit Committee prioritize a performance audit of the state assumption of District
3 Court costs to determine the current level of resources, how resources are being used, caseloads and
4 workloads, administrative structures, management information, whether there are any disparities between courts,
5 and if alternatives are available to enhance cost-effective administration of court activities.

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